

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

OMAR ALKAALES and AYAT RASHID,

Plaintiffs,

v.

UR JADDOU, Director, United States  
Citizenship and Immigration Services  
(USCIS), and THUY LINH TRAN, Acting  
Director Seattle Field Office, USCIS,

Defendants.

CASE NO. 2:23-cv-01272

ORDER OF DISMISSAL

This matter is before the Court *sua sponte*. On August 22, 2023, and September 24, 2023, Plaintiffs provided proof of service on Defendants. Dkt. Nos. 5, 6. As to Defendant Ur Jaddou, Plaintiff provided two certified-mail receipts for destinations in Maryland and Washington, DC. Dkt. No. 5 at 1. Plaintiff also provided a copy of an email sent to a USCIS email address. *Id.* at 3. Plaintiffs attested that summons was sent to all destinations, but they were silent as to whether the complaint was also served. *Id.* at 2. Plaintiff's email appears to include a copy of the

1 complaint. *Id.* at 3. As to Defendant Thuy Linh Tran, Plaintiff provides only a receipt of mailing  
2 to an address in Maryland. Dkt. No. 6. Plaintiff does not explain what documents were mailed. *Id.*

3 On December 5, 2023, the Court ordered Plaintiffs to file proof of service or waiver, or to  
4 show cause why service has not been properly completed, by January 5, 2024. Dkt. No. 7. The  
5 Court explained that “proper service on an agency of the United States or one of its officers  
6 requires additional steps.” Dkt. No. 7 at 2. Plaintiffs have not responded to the Court’s Order.

7 Under Federal Rule of Civil Procedure 4(m), if a defendant is not properly served within  
8 90 days after the complaint is filed, “the court—on motion or on its own after notice to the  
9 plaintiff—must dismiss the action without prejudice against that defendant or order that service  
10 be made within a specified time.” In addition, a plaintiff must follow Federal Rule of Civil  
11 Procedure 4(i) to complete proper service on the United States and its agencies, corporations,  
12 officers, or employees. Proof of proper service was due by no later than November 20, 2023.

13 Here, Plaintiffs have not completed proper service. Plaintiffs provide no proof that they  
14 either delivered the summons and complaint to the United States Attorney for the Western  
15 District of Washington or sent a copy of each by registered or certified mail to the civil-process  
16 clerk for that office. *See* Fed. R. Civ. P. 4(i)(1)(A)(i)–(ii). Plaintiff also provides no proof that the  
17 summons and complaint were sent by registered or certified mail to the United States Attorney  
18 General in Washington, DC. *See* Fed. R. Civ. P. 4(i)(1)(B). While these may not be Plaintiffs’  
19 only errors in service, the Court need not scour the record any further.

20 Accordingly, this matter is DISMISSED without prejudice.

21 Dated this 2nd day of February 2024.

22   
23 \_\_\_\_\_  
24 Tana Lin  
United States District Judge